

REMARKS

Claims 6-14 are pending in this application; claims 6 and 14 being independent. By this Amendment, Applicant has added new claim 14. In light of the amendments and remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

The Official Action

In the Office Action dated March 11, 2002, the Examiner objected to the title of the invention, asserting it is not descriptive; rejected claims 6, 7, 9, and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Fujimori* (USP 5,027,214) in view of *Wakui* (USP 5,742,339); and rejected claims 8, 10, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Fujimori* and *Wakui* as applied to claim 6 and further in view of *Watanabe* (USP 4,887,161).

Claim Rejections

With regard to the Examiner's rejection of claims 6-13 under 35 U.S.C. § 103(a), Applicant respectfully traverses these rejections.

In order to sustain a claim rejection under 35 U.S.C. § 103(a), it is respectfully submitted that the Examiner must meet her burden to establish a *prima facie* case. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined)

must teach or suggest all of the claim limitations." *In re Vaeck*, 947 F.2d 488, 20 USPQ 2d 1438 (Fed. Cir. 1991).

It is respectfully submitted that the Examiner has failed to provide prior art references teaching or suggesting all of the claim limitations. With regard to claim 6, the Examiner asserts *Fujimori* teaches a built-in memory (buffer 13) for storing image data representing captured images.

It is respectfully submitted that *Fujimori* teaches an electronic still camera using variable-length data compression for storing still image signals. Specifically, *Fujimori* teaches

a selector 19 may be connected to the input of the buffer memory 13 so that an electronic still image signal is input to the selector 19 through the A/D converter 12 or an electronic still image signal which has already been input to the selector 19 upon photography, has been stored in the buffer memory 13, and has undergone data compression encoding in the data compression encoder 14 may be selected and stored in the buffer memory 13. In this case, if an electronic still image signal stored in the data buffer 13 has already undergone data compression encoding, the signal is directly output to the interface 16 through a selector 20. Otherwise, the electronic still image signal is subjected to data compression encoding through the data compression encoder 14 and is output to the interface 16 through the selector 20. (Col. 5, line 56 - col. 6, line 3).

In contrast, the present invention as set forth in claim 6 recites, *inter alia*, a digital camera for capturing images comprising a built-in memory for storing image data representing captured images. As can be seen from the above recitation of *Fujimori*, buffer memory 13 acts as a buffer for storing an electronic still image signal representing one image at a time before that information is sent to memory card 17. *Fujimori* fails to teach built-in memory for storing image data representing captured images. As such, it is respectfully submitted that *Fujimori* fails to teach the present invention set forth in claim 6.

Further with regard to claim 6, the Examiner asserts *Fujimori* teaches memory control means for transferring image data from the built-in memory to the detachable memory card upon detecting the mounting of the memory card, citing to col. 6, line 25 - col. 9, line 66. As noted above, *Fujimori* teaches a buffer memory 13 that merely buffers the image each individual image prior to transferring the image for storage on memory card 17.

In contrast, the present invention as set forth in claim 6 recites, *inter alia*, a digital camera for capturing images comprising memory control means for automatically transferring the image data from the built-in memory to the detachable memory card upon the detecting means detecting the insertion. It is respectfully submitted that *Fujimori* fails to teach memory control means for automatically transferring the image data from the built-in memory to the detachable memory card upon the detecting means detecting the insertion.

The Examiner admits *Fujimori* fails to teach detecting means for detecting insertion of the detachable external memory card into the insertion slot. However, the Examiner asserts that *Wakui* teaches a digital camera having built-in memory (7, 20) for storing image data and detecting means for detecting the insertion of the detachable memory card into the insertion slot, citing to detecting circuit 16. It is respectfully submitted that *Wakui* fails to cure the deficiencies of the teachings of *Fujimori* as *Wakui* fails to teach a built-in memory for storing image data representing captured images, the built-in memory being provided in a camera body. It is respectfully submitted that *Wakui* teaches an electronic still video camera wherein during a photographing operation, the digital data is stored in memory 7, and processed by an image processing circuit 8. A second data selector 14 selects whether the processed digital

data is to be stored in the image flash memory 20 or the IC memory card 31. (Col. 4, lines 13-17). *Wakui* fails to teach storing built-in memory for storing image data representing captured images, as image memory 7 stores only one image before it is stored either in flash memory 20 or IC memory card 31. Both flash memory 20 and IC memory card 31 are detachable memory cards.

Further, while *Wakui* may teach detecting circuit 16, *Wakui* fails to teach memory control means for automatically transferring the image data from the built-in memory to the detachable memory card upon the detecting means detecting the insertion. As such, *Wakui* fails to teach the deficiencies of the teachings of *Fujimori*. Since neither of the references cited by the Examiner, either alone or in combination (assuming the references are combinable, which Applicant does not admit), teach a built-in memory or memory control means of the present invention, it is respectfully submitted that claim 6 is not obvious and is thus allowable over the references cited by the Examiner.

It is respectfully submitted that claims 7-13 are allowable for the reasons set forth above with regard to claim 6 based upon their dependency on claim 6.

By this Amendment, Applicant has added new claim 14. It is respectfully submitted that claim 14 is allowable for the reasons set forth in claim 6 as claim 14 contains elements similar to those discussed above with regard to claim 6.

Additionally, new claim 14 recites a detachable memory card for storing image data, the detachable memory card having a larger storage capacity than the built-in memory, wherein the digital camera is usable to capture a plurality of images when the detachable memory card is detached from the camera. It is respectfully submitted that neither of the references cited by the Examiner teach a digital camera usable to capture

a plurality of images when the detachable memory card is detached from the camera.
As such, claim 14 is allowable over the art cited by the Examiner.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

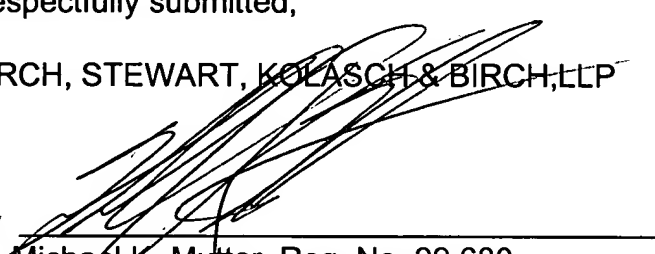
Applicant respectfully petitions for a one (1) month extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). A check in the amount of \$110.00 in payment of the extension of time fee is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Michael K. Mutter, Reg. No. 29,680

MKM/CMV/jdm
0879-0273P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Version With Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Please replace the existing title with the following new title:

--DIGITAL CAMERA WITH DETACHABLE MEMORY FOR STORING IMAGE
DATA--

IN THE CLAIMS:

New claim 14 has been added.